



State of Tennessee
Health Services and Development Agency

Andrew Jackson Building, 9th Floor, 502 Deaderick Street, Nashville, TN 37243
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AGENDA

Legislative Plaza
Room 12
Sixth Avenue North & Union Street
Nashville, TN
Wednesday, October 28, 2015
8:30 a.m. CDT

I. CALL TO ORDER

II. ROLL CALL – **10 present:** Jordan, Mills, Gaither, Doolittle, Wright, Burns, Fleming, Grandy, Johnson

III. DIRECTOR’S ANNOUNCEMENTS

IV. APPROVAL OF MINUTES: **Motion to approve—Mr. Mills 2nd--Mr. Wright, (10-0-0)**

V. STATE HEALTH PLAN UPDATE

A. Update: Elizabeth Jones, Assistant Director of Health Planning, Department of Health

VI. CONSENT CALENDAR

*Mr. Doolittle
recused.*

APPROVED
Motion: Mr. Grandy
2nd: Ms. Burns
(9-0-0)

A. The Endoscopy Center, Knoxville (Knox County), TN — CN1508-030
To relocate The Endoscopy Center, an existing single specialty ASTC limited to endoscopy, from 801 Weisgarber Road, Suite 100, Knoxville to an unaddressed site in the northwest quadrant of the intersection of Middlebrook Pike and Dowell Springs Boulevard in Knoxville, Tennessee, a distance of approximately 1.4 miles. As a part of the project, the applicant will reduce its existing surgical complement from 8 to 6 procedure rooms. The estimated project cost is \$13,791,719.

APPROVED
Motion: Mr.
Doolittle
2nd: Mr. Grandy
(10-0-0)

B. Tennova--Healthcare LaFollette Medical Center, LaFollette (Campbell County), TN — CN1508-032
To initiate extracorporeal shockwave lithotripsy (ESWL) services up to 3 days/week on the hospital campus through the use of a leased mobile lithotripsy unit. The estimated project cost is \$440,203.

*Dr. Fleming and
Ms. Burns recused.*

APPROVED
Motion: Mr. Wright
2nd: Mr. Grandy
(8-0-0)

C. Saint Thomas Medical Partners, Nashville (Davidson County), TN — CN1508-033
To acquire the existing magnetic resonance imaging unit (MRI) approved in Neurological Surgeons, P.C, CN9902-013AM and initiate MRI services with no change in the location of the medical group’s location at 2214 Elliston Place, Suite 200, Nashville (Davidson County), Tennessee. The estimated project cost is \$2,213,165.44.

VII. CERTIFICATE OF NEED APPLICATIONS

- A. Hero Healthcare, Oliver Springs (Morgan County), TN – CN1504-012
To establish a home care organization and initiate home health services limited to a specific patient, who is a beneficiary of the United States Department of Labor, Division of Energy Employees Occupation Illness Compensation Program (EEOICP). The parent office will be located at 231 Walls Hollow Road, Oliver Springs (Morgan County), Tennessee. The proposed service area is Anderson and Morgan Counties. The estimated project cost is \$29,680. **OPPOSITION:** Gentiva Health Services, The Home Option by Harden Healthcare, Professional Case Management, Quality Home Health, Quality Private Duty Care, National HealthCare Corporation, LHC Homecare/Home Care Solutions, Elk Valley Health Services.
DEFERRED FROM AUGUST MEETING; 2nd DEFERRAL FROM SEPTEMBER MEETING; APPLICATION ON HOLD, PENDING RESOLUTION OF DAVIDSON COUNTY CHANCERY COURT PETITION FILED BY THE APPLICANT

Mr. Mills recused.

APPROVED

Motion: Ms. Jordan
2nd: Mr. Doolittle
(9-0-0)

**CONDITION:
LIMITED TO HIGH
RISK
OBSTETRICAL
PATIENTS WITH
ANTEPARTUM
AND
POSTPARTUM
NEEDS.**

- B. Alere Women's and Children Health, LLC, Nashville (Davidson County), TN CN1506-025
The applicant is a home health organization providing home health services exclusively limited to the care of high-risk obstetrical patients with antepartum and postpartum needs. It seeks to add 22 counties, including Cannon, Clay, Cumberland, DeKalb, Fentress, Franklin, Giles, Humphreys, Jackson, Lawrence, Lewis, Lincoln, Macon, Moore, Overton, Pickett, Putnam, Smith, Stewart, Trousdale, Van Buren, and White Counties, to its existing 14 county service area approved under Matria Healthcare, Inc., CN9807-043A. There will be no change in the services nor will the location of the parent office change. The estimated project cost is \$84,000.00.

Ms. Burns recused.

*Mr. Johnson left
the meeting during
the Agency
questions, and
Vicechair Mr.
Wright continued.*

APPROVED

Motion: Mr.
Doolittle
2nd: Mr. Grandy
(5-3-0)
Nay: Mr. Gaither,
Dr. Fleming and
Mr. Wright.

Simultaneous Review - Gateway Medical Center Satellite Emergency Department at Sango, Sango (Montgomery County), TN CN1507-027 and NorthCrest Medical Center, Clarksville (Montgomery County), TN CN1507-028 will be heard as a simultaneous review.

- C. Gateway Medical Center Satellite Emergency Department at Sango, Sango (Montgomery County), TN CN1507-027
To establish a full service, 24 hour per day/7 day per week satellite emergency department to be located at an unnamed street address on the north side of Highway 76 approximately 1,400 feet east of I-24 at exit 11 in Sango (Montgomery County), Tennessee 37043. The proposed facility will be operated as an offcampus emergency department of Gateway Medical Center and will have 8 treatment rooms providing Level 1 through V emergency treatment services and will include ancillary services including but not limited to medical lab, CT, X-Ray and ultra-sound. The project does not contain major medical equipment, initiate or discontinue any other health service or affect the hospital's licensed 270 bed complement. The estimated project cost is \$10,700,000. **OPPOSITION:** NorthCrest Medical Center.
- D. NorthCrest Medical Center, Clarksville (Montgomery County), TN CN1507-028
To establish a full service, 24 hour per day/7 day per week satellite emergency department to be located at an unnamed street address near the intersection of Gateway Plaza Boulevard and TN Highway 76 in Clarksville (Montgomery County), Tennessee 37043. The proposed facility will be operated as an offcampus emergency department of NorthCrest Medical Center

DENIED

Motion: Ms. Jordan
2nd: Mr. Gaither
(8-0-0)

and will have 8 treatment rooms and will provide emergency diagnostic and treatment services. The project does not contain major medical equipment, initiate or discontinue any other health service or affect the hospital's licensed 109 bed complement. The total estimated project cost is \$6,890,427.66. **OPPOSITION:** Gateway Medical Center.

VIII. GENERAL COUNSEL'S REPORT

APPROVED

Motion: Ms. Burns
2nd: Mr. Doolittle
(9-0-0)

- A. Metro Knoxville HMA, LLC d/b/a Tennova Healthcare – North Knoxville Medical Center (f/k/a Mercy Health System, Inc. d/b/a Mercy Medical Center North), Powell (Knox County), TN – CN1106-019AE
- Request for a 1 year extension of the expiration date from December 1, 2015 to December 1, 2016. This request is for the 2nd extension. The original expiration date of December 1, 2014 was extended to December 1, 2015 on November 19, 2014 by a unanimous vote. This request was **DEFERRED FROM THE SEPTEMBER MEETING** so the modification to increase the project cost could be heard simultaneously.
 - Modification of the certificate of need to increase the total project cost from \$4,694,671 to \$5,900,000, a difference of \$1,205,329.

The project was unanimously approved on October 26, 2011 for the acquisition of a second linear accelerator to be located and utilized on the Tennova Healthcare – North Knoxville Medical Center campus.

Ms. Burns recused.

APPROVED

Motion: Ms. Jordan
2nd: Mr. Grandy
(8-0-0)

- B. Baptist Plaza Surgicare, Nashville, (Davidson County), TN – CN1307-029AM
Request for an 18-month extension from December 1, 2015 to June 30, 2017.

The project was unanimously approved on October 23, 2013 for the relocation and replacement of the existing ASTC from 2011 Church Street, Medical Plaza I Lower Level, Nashville (Davidson County), TN 37203 to the northeast corner of the intersection of Church Street and 20th Avenue North, Nashville (Davidson County), TN 37203. The facility will be constructed in approximately 28,500 SF of rentable space in a new medical office building and will contain nine operating rooms and one procedure room. The estimated project cost was \$29,836,377.00. On July 23, 2014, a request to decrease the project cost from \$29,836,377 to \$19,053,078 and to increase the square footage from 28,500 SF to 30,000 SF, with no increase in the number of operating rooms or procedure rooms was approved. It was determined that the move of the project within the campus of Saint Thomas Midtown Hospital did not require Agency approval, as the campus was considered within the definition of the CON's location.

**DEFERRED TO
NOVEMBER
MEETING**

- C. VHA Enterprises, Inc., 87-CN-032A. Request for modification to convert mobile MRI services to a fixed location at 1424 Baddour Parkway, Suite G., Lebanon (Wilson County), TN 37087. If the modification is approved, the CON holder (Insight Health Services Corp.) would no longer be permitted to offer MRI services anywhere else.

VHA Enterprises, Inc. was approved for the provision of magnetic resonance imaging services at health care providers in the following counties: Bedford, Cannon, Cheatham, Coffee, Davidson, Dickson, Giles, Hickman, Houston, Lawrence, Lewis, Marshall, Maury, Montgomery, Robertson, Rutherford, Stewart, Wayne, Williamson, and Wilson.

- D. Contested Case Update

IX. ADJOURNMENT